

Response After Final
Application No. 10/809,889
Attorney Docket No. 042089

REMARKS

Claims 1-19 are pending in the present application. By this Amendment, claims 1-12 have been cancelled. It is respectfully submitted that this response is fully responsive to the outstanding Office Action dated June 1, 2007 and the Examiner telephone conducted on October 17, 2007. Reconsideration in view of the following comments is respectfully requested.

Examiner Telephone Interview:

The courtesy extended by Examiner Sams to the Applicant's representative during the October 17, 2007 telephone interview is gratefully appreciated. The substance of such interview is incorporated into the following remarks.

As to the Merits:

As to the merits of this case, the Examiner sets forth the following rejection:

claims 1-19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Dorenbosch et al.

This rejection is respectfully traversed.

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Independent Claim 13:

During the interview, it was respectfully submitted claim 13 clearly distinguishes over the teachings of Dorenbosch et al., since this reference fails to disclose or fairly suggest *detecting by a terminal of a forwarder, whether or not a user of a terminal of a forwarding destination is logged in an instant message server; transmitting an instant message including identification information of the terminal of the forwarding destination from the terminal of the forwarder to a communication device when the user of the forwarding destination is not logged in the instant message server.*

That is, as discussed in the response dated September 18, 2006, and acknowledged by the Examiner on page 7, lines 7-9 of the Office Action dated November 30, 2006, Dorenbosch teaches that the information is only transmitted to the IM proxy when the mobile subscriber 12, or forwarding destination, is logged onto the IM system 10.

Moreover, it is submitted that during said interview, and as indicated in the Examiner Interview Summary Record dated October 26, 2007, that the Examiner again acknowledges that Dorenbosch fails to disclose the features of claim 13 concerning *transmitting an instant message including identification information of the terminal of the forwarding destination from the terminal of the forwarder to a communication device when the user of the forwarding information is not logged in the instant message server.*

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Accordingly, it is submitted that the rejection of claim 13 under 35 U.S.C. §103(a) as being unpatentable over Dorenbosch et al. is improper and therefore should be withdrawn.

In view of the aforementioned amendments and accompanying remarks, Applicant submits that the claims, as herein amended, are in condition for allowance. Applicant requests such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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